IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 4TH DECEMBER 2006 / 13TH AGRAHAYANA 1928

Bail Appl..No. 6872 of 2006()

CRIME NO. 363 OF 2006 OF PARIPPALLY POLICE STATION

PETITIONERS/ACCUSED

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1. REGHU, AGED 24,
S/O.RAJAN, CHARUVILA VEEDU,
CHIRAKKARATHAZHAM DESOM, CHIRAKKARA VILLAGE,
KOLLAM TALUK.

2. SUNIL, AGED 25, S/O.SUNDARAN,
RESIDING AT CHARUVILA VEEDU,
CHIRAKKARATHAZHAM DESOM, CHIRAKKARA VILLAGE,
KOLLAM TALUK.

3. RAJESH, AGED 22, S/O.GOPI,
CHIRAKKARATHAZHAM DESOM, CHIRAKKARA VILLAGE,
KOLLAM TALUK.

4. PRAKASH, AGED 25, S/O.BABU,
CHALIL HOUSE,
CHIRAKKARATHAZHAM DESOM, CHIRAKKARA VILLAGE,
KOLLAM TALUK.

5. SUGUNAN, AGED 32, S/O.SOMAN,
CHALIL VEEDU,
CHIRAKKARATHAZHAM DESOM, CHIRAKKARA VILLAGE,
KOLLAM TALUK.

6. SHAJU, AGED 18, S/O.GOPALAKRISHNAN,
CHARUVILA VEEDU,
CHIRAKKARATHAZHAM DESOM, CHIRAKKARA VILLAGE,
KOLLAM TALUK.

7. ANIL, S/O.SUNDARAN,
RESIDING AT CHARUVILA VEEDU,
CHIRAKKARATHAZHAM DESOM, CHIRAKKARA VILLAGE,
KOLLAM TALUK.

8. VIJAYAN, S/O.RAJAN,
RESIDING AT CHARUVILA VEEDU,
CHIRAKKARATHAZHAM DESOM, CHIRAKKARA VILLAGE,
KOLLAM TALUK.

BY ADV. SRI.R.T.PRADEEP
SRI.V.VIJULAL

RESPONDENTS:

THE STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 6872 of 2006

DATED: December 4, 2006

O R D E R

The eight petitioners seek anticipatory bail on the allegation that Parippally Police are after them.

2. The learned Public Prosecutor, on instructions, submitted that the 6th petitioner Shaju is not an accused in this case the the other petitioners namely 1 to 4 and 5 to 8 are accused Nos. 1 to 4, 5,7 and 9 in Crime No. 363/06 of Parippally Police Station for offences punishable under Sections 143, 148, 452, 326 read with Sec. 149 I.P.C.

3. The learned Public Prosecutor opposed the application. He made available to me the case diary files.

4. The occurrence took place on 24-10-2006 in which weapons like iron pipe, chopper etc. are alleged to have been used. Santhosh the brother of the de facto complainant as revealed by the medical certificate has sustained fracture of the ankle, fracture to first metacarpel and fractures to 8th and 9th ribs besides other injuries.

5. It is too early to accept the petitioners' contention that this was a counter attack in response to an earlier attack on the

petitioners and that the petitioners were falsely implicated in this case.

6. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioners should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioners surrender before the magistrate court and file an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed.

With the above observation this application is disposed of.

Sd/- V.RAMKUMAR,
JUDGE.

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